

APPROVED: Meeting No. 39-82

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 37-82

October 4, 1982

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Rockville, Maryland, on Monday, October 4 at 8 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. Staff working with the Economic Development Council has developed a brochure which he distributed to the Council. It is designed to provide new businesses in Rockville with information which the City has on items such as demographics and financing alternatives that may be of interest. It also identifies those permits that are required by the City, licenses required by the State, and special permits required by the County and lists the various taxes which a business has to pay. This brochure will be distributed by the Chamber of Commerce as well as by the City.
2. On Saturday, Councilmembers Tyner and Abrams, Police Chief Stout and the City Manager attended a retreat held by the Chamber of Commerce's new Board of Directors. It provided the City with an opportunity to inform the Chamber of the status of major City projects and to act as resource persons as the Chamber develops its goals for the coming year.
3. Last week the contractor planted 187 pine trees on the berm adjacent to Gude Drive bordering the Rockville Estates Subdivision.
4. Work has been started on adding a right turn lane from Gude Drive onto Rt. 28. It is expected to be completed next week.
5. Mr. Woodward the artist has begun transferring the sketch of the mural to the wall in the atrium in City Hall. The sketch is only an outline to be used as

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a guide for the painting of the mural. It is expected the project will be completed in March of 1983.

6. Membership at the Rockville Senior Center now numbers 527, an increase of 98 since August.

7. The County Council will hold a work session on Thursday, October 7, at 2 p.m. on Bills 39-82 and 40-82 dealing with County/Municipal relations.

Mayor Freeland told the audience that he recently spent three days in Pinneberg, Rockville's Sister City, and will give a report to the Council soon.

Re: Appointments

Councilman Tyner asked that the appointments for the Board of Appeals be postponed until October 18 in order that he might have an opportunity for an interview. Mayor Freeland agreed to this.

Re: Proclamation: Rockville Businesswomen's Week - Oct. 18-23, 1982

Proclamation No. 8-82

There being no objection from the Council, Mayor Freeland proceeded to issue Proclamation No. 8-82, proclaiming the week of October 18 through 23, 1982, as Rockville Businesswomen's Week. Councilwoman Hovsepian read the proclamation at the request of the Mayor, in which it was urged that all citizens join in the salute to working women.

Re: Award of Contract: Bid No. 3-83
Shutters for Civic Center Mansion

Bids were opened in the Contract Office, City Hall at 2:30 p.m. on August 27, 1982 for Furnishing Wood Shutters for the Civic Center Mansion.

Ninety-five (95) invitations to bid were mailed and there were three (3) acceptable responses as follows:

Homecrafters, Rockville, Maryland	\$12,879.00
Brotsky Group, Inc., Rockville, Maryland	15,450.00
Richard E. Way Construction, Inc., Rockville, Maryland	21,246.00

This contract is to provide fifty-one (51) sets of Redwood Shutters (painted) plus hardware, and to install forty-five (45) sets on the Mansion. The six (6) extra will be used as replacements as needed.

This contract is to be paid out of the Civic Center Renovation and Improvement Account #42-320301-050401, which included \$15,000 for shutters plus some additional repairs to the Mansion exterior.

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Homecrafters, Rockville, Maryland, is a general home improvements company, dealing primarily in woodworking. References were called, which resulted in their work being approved as satisfactory.

Staff recommends that Bid No. 3-83, be awarded to Homecrafters in the amount of \$12,879.00.

On motion of Councilwoman Hovsepien, duly seconded and unanimously passed, Bid No. 3-83 for shutters was awarded to Homecrafters in the amount of \$12,879.

Re: Award of Contract: Bid No.
14-83, Kitchen equipment at
Senior Center

On September 17, 1982, at 2:30 p.m., Bid No. 14-83 was opened in the Boards and Commissions Room at City Hall. Specifications were sent to thirty-four firms and four companies responded. Following are the results of the bid:

LeBow Equipment Company, Alexandria, Virginia	\$12,951.00
Gill Company, Inc., Beltsville, Maryland	13,228.00
Essbar Equipment Company, Wilmington, Delaware	14,390.00
Restaurant Equipment & Consulting Co., Inc., Potomac, Maryland	14,718.00

This bid was for the following pieces of kitchen equipment; pot sink; cook's table with pot rack; broiler-griddle; mobile heating serving counter; mobile cooled serving counter; refrigerator, and frozen food cabinet.

Initially LeBow Equipment Company was the low bidder; however, in checking their bid, two items that were offered by LeBow did not match the specifications, and is therefore not responsive. The next lowest bid was Gill Company, Inc., in the amount of \$13,228. Funds budgeted for these items totaled \$15,600 in the Rockville Senior Center budget, with a 50 percent matching grant from the Maryland State Office on Aging.

Staff recommends that the bid be awarded to Gill Company, Inc., in the amount of \$13,228. In checking references, Gill Company, Inc., received a high recommendation from Montgomery County Public Schools--Food Service Division.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 14-83, Senior Center kitchen equipment, was awarded to Gill Company in the amount of \$13,228.

Re: Citizen's Forum

Mayor Freeland opened the meeting to those citizens who wished to address the Mayor and Council:

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1. Howard Silberstein, 2008 Dundee Road. Mr. Silberstein told the Council that he has noted lately that the proper deference and consideration have not been shown to those citizens making comments to the Mayor and Council who lack specific expertise. He said the fact that since they are concerned citizens who have come to state their opinions, they should not be asked to provide documentation.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Award of Contract: Bid No.
17-83, Kitchen Equipment at
Civic Center Mansion

Bids were opened in the Boards and Commission Room at 3:00 p.m. on September 17, 1982, for Furnishing Kitchen Equipment for the Civic Center Mansion.

Thirty-six (36) invitations to bid were mailed, and there were three (3) acceptable bids returned as follows:

Gill Company, Inc., Beltsville, Maryland	\$10,328.00
Essbar Equipment Company, Wilmington, Delaware	10,760.00
Restaurant Equipment & Consulting Co., Inc., Potomac, MD	11,608.50

This contract is to provide - microwave oven, frozen food cabinet, hot food cabinet, medium temperature food cabinet, heavy duty range, and two (2) garbage disposals.

These items are to come out of the Civic Center Renovation and Improvement Account #42-320301-050401, for kitchen renovation which included \$13,000 for kitchen equipment.

The Gill Company is a major supplier of restaurant equipment supplies in the Washington metropolitan area, and has done satisfactory work for: Montgomery County Public Schools, Anne Arundel County Schools, Harford County Public Schools, Prince Georges County Public Schools, and Baltimore City Public Schools.

Staff recommends that Bid No. 17-83 be awarded to the Gill Company Inc., in the amount of \$10,328.00

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 17-83, for furnishing kitchen equipment at the Civic Center Mansion was awarded to the Gill Company in the amount of \$10,328.00

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Re: Receipt of report from Councilman Tyner on public housing issues

Councilman Tyner presented a report to the Mayor and Council on the Rockville Housing Authority and read to the Council the letter of transmittal from him in which he said the report culminated many hours of work from over 60 people from all parts of city life. He presented copies of the report to the Mayor and Council, the Rockville Housing Authority and Howard Silberstein. The Mayor acknowledged receipt of the report and said that the Housing Authority will be invited to share a work session with the Mayor and Council on October 18.

Re: Decision and instructions to staff re Residential Townhouse application, RTH-3-82, townhouse units on Rockville Pike at Woodmont Country Club

This is an exploratory application for residential townhouse development by Rockmont Associates, a limited partnership and requests an eighty-eight (88) residential townhouse development on an 8.19 acre tract located 300 feet off Rockville Pike on land formerly owned by Woodmont Country Club. Councilwoman Hovsepian noted a letter that had been received for the record concerning an increase in traffic on the Pike that would result from this development. She noted that the staff must consider future development when the City is making its traffic plans. Mr. Davis said that the median break on the Pike will be adjusted and moved slightly south in order to accommodate the development. The State would like to await signal installation until all development, both office and townhouses, is completed.

On motion of Councilman Tyner, duly seconded and unanimously passed, the staff was instructed to draw up the necessary legal documentation to approve the application with a condition that the Planning Commission considers the traffic impact.

Re: Decision and instructions to staff re Street Abandonment Application, SCA-41-82, C.M. Whalen, Applicant, service drive on Rockville Pike at Edmonston

This is a request for the abandonment of a thirty-foot wide service drive easement across a portion of proposed lot 5, Rockville Pike Center, near the Pike's intersection with Edmonston Drive.

On motion of Councilwoman Hovsepian, duly seconded and unanimously passed, the staff was instructed to prepare the necessary legal documentation to approve the application.

Re: Adoption of Ordinance: To
Grant Text Amendment Appli-
cation T-52-82, Political Signs

Ordinance No. 28-82

Councilman Tyner asked if this new law now corresponds to that in effect in Montgomery County and in Gaithersburg. Mr. Davis said it does. Councilman Abrams noted that in his call to Gaithersburg a spokesperson said Gaithersburg had not enacted the ordinance. He said he would like a clarification. Mayor Freeland asked if the passage of this law caused problems with the campaign. The City Attorney said on the contrary it would bring some signs in the City into compliance.

On motion of Councilwoman Hovsepian, duly seconded and unanimously passed, the Mayor and Council all voting aye, Ordinance No. 28-82, the full text of which can be found in Ordinance Book No. 11 of the Mayor and Council standardizing political sign laws in the region, was adopted by the Mayor and Council.

Re: Approval of proposal to
refurbish Mayor and Council
Chamber

In the budget work sessions, FY 83, the Mayor and Council authorized spending \$6,000 to make improvements to the Mayor and Council Chamber. Submitted to the Council this evening were several lists of items for the Council's approval. Councilman Tyner said the Mayor and Council is not in a position to approve this list tonight. It would seem that the Mayor and Council should sit with the City Manager and the City Clerk and look at what needs to be done. Councilwoman Hovsepian agreed. Mayor Freeland said the item can be placed back on the agenda after meetings are held with staff. Councilwoman Hovsepian suggested that the information submitted tonight be made available to the citizens so they can comment on it. At the same time, Councilman Tyner asked that the staff look into the relocation of the speakers and a better sound system for the Chamber. Mayor Freeland noted that City Hall is now a showcase and an energy efficient building. It would seem that where the citizens and the Mayor and Council meet it should have some semblance to the rest of the building. He asked that time be taken so that the project can be done right. He asked that the City

Manager and City Clerk set up a meeting to discuss this and then place it on the agenda.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. New Mark residents, re TSM Phase II

Councilwoman Hovsepian noted that the residents in New Mark Commons have asked the Council to reassess the Falls Road interchange and it might be a good idea. She asked how much work it would entail. The City Manager said the staff is doing that now. It is an ongoing thing. Councilman Abrams said any formal action on the City's part could be used in a law suit at a future date. He would prefer to see the citizen's statements forwarded to the Council of Governments and a statement that the City has no objection. That would show no bad signals in view of the City's current position. Councilman Tyner stated for the record that nothing has happened to change his mind. Councilman Abrams said he associates himself with those remarks and wishes no change in the City's position at this time.

2. Ryland Hall, re houses at Metro construction on Stonestreet

Councilman Tyner asked if the staff would report back to the Council on this problem.

3. Richard Haight, re mall redevelopment, and other matters

M.L. Scott, re mall
Lowell Baier, re mall
Mollee Kruger, re mall

4. Rockville Civic Federation, invitation to meeting on November 18.

Councilwoman Hovsepian noted this invitation and said she would be attending. Councilman Duncan said he would also.

5. Jerome Bolten, complimenting Project Go

Councilwoman Hovsepian asked for a fuller explanation of Project Go. Mr. Olson explained "GO" stands for "get outdoors" and explained the different trips scheduled.

6. Sen. Mathias, re cable telecommunications bill

7. Rev. Kaseman, re City Staff

Councilwoman Hovsepian read this letter for the benefit of all the audience.

8. F.A. Board, M.D., re police dog incident

Councilman Duncan asked the City Manager to provide more information to the Council.

Re: Information Items

1. Letters re "Carnival"

Councilwoman Hovsepian said this was a delightful show.

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3. Flyer re Neighborhood meetings.
4. Copy of letter from Sen. Sarbanes
5. Letter to citizen responding to complaint
6. Memo from City Manager re crisis relocation plan

Councilman Tyner concurred with the City Manager's remarks, but he said the City should look at a relocation plan in the event of any national disaster.

7. Copy of article in Economics of Amenity news
8. Project reports from CDHA
9. Project reports from Planning

Councilman Tyner said he would address this under New Business.

10. Memo from Finance Director re COG committee chairmanship
11. Memo on Park Permit Policy

Councilwoman Hovsepian noted that her memo was incomplete.

12. Memo on Energy consumption at Red Gate
13. Senior citizens newsletter
14. Memo on Edmonston/Hardy intersection

15. Costs of Secretary/Treasurer services for MML

Councilman Tyner said that the City Manager did a good job and suggested that the Montgomery Chapter be billed for City Manager's time and Councilwoman Hovsepian asked that this be discussed under New Business.

16. MML bulletin
17. Annual Report of the City

Councilwoman Hovsepian asked that this report be made available to the citizens. The Mayor agreed and all boards and commissionmembers should get copies and also homeowners association and all active members of the community with a note from the Mayor and Council saying that the Mayor and Council feel as active participants in community activity they should be aware of the status of City affairs.

18. Copy of letter re Wintergreen parking

Councilman Tyner noted with interest this well-done study.

Re: New Business

1. Councilman Tyner asked that the staff return the sign ordinance to the Mayor and Council for information.

2. Councilman Tyner suggested that the Mayor and Council discuss the MML Chapter. Considerable discussion took place on whether the City Manager would continue as Secretary and whether the City would suggest an increase in Chapter dues, and/or bill the Chapter for services. A discussion followed on the amounts of dues, offices, etc. There was no decision or action made by the Council since it will be on the agenda at the November Chapter meeting.

3. Councilman Tyner suggested that the City must decide its position on the MML's official policy statement. The Mayor said it would be a good idea to let the citizens know what policies are being put forward in the citizens' name. He asked that it be placed on an agenda when it is available.

4. Councilman Duncan said that the neighbors of Wintergreen, the Vice President of Grand Union and the County's Environmental Protection Agency met at Wintergreen Shopping Center recently and measured noise. It was found that there was a violation. Grand Union was given the choice of doing extensive improvements or stopping work until 8 am in the morning and they agreed to not work until after 8 in the morning. Councilwoman Hovsepian asked if the lights had been improved. The City Manager said it should have been done by now.

5. Councilman Abrams said the State's Capital Improvements Plan for 1983 and 1987 shows the Ritchie Park Bridge being looked at as a 1987 item because the City improvements cannot be done until 1987. He suggested the City might consider accelerating its projects so that the State program can move forward more rapidly. The City Manager will get more information on this.

Re: Approval of Minutes

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 34A-82 were approved as written.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 35-82, were approved as amended.

Re: Status Report on implementation of data processing system

The Mayor and Council were given a status report on the City's data processing system. Mr. Lawton, Director of Finance, told the Mayor and Council that one year ago the City awarded a contract to Hewlett Packard for the purchase of hardware and software. He introduced some members of the data processing staff, Mr. Ned Buchman, Mr. Ted Green, Ms. Susan Emdin, Ms. Pat LaBarre. Each of these people gave presentations to the Council on the system and answered questions on the capabilities of the system, both known and projected. Mayor Freeland asked that the Mayor and Council be given a monthly update on just where the City stands in relation to its data processing objectives along with the current status. He noted that the more it is used, the better it is for everyone. The Mayor and Council thanked the staff for the presentation.

Re: Award of Contract to Hewlett
Packard for maintenance of
computer hardware and software

The staff recommends the award of a contract to Hewlett-Packard for maintenance services for computer hardware and software. The contract will run for 9 months and will be in the amount of \$15,408, broken down as follows:

	<u>Cost Per Month</u>	<u>Total</u>
Hardware	\$1,177	\$10,593
Software	\$ 535	4,815
Total	\$1,712	\$15,408

The warranty period and an initial 3 month maintenance period have expired, making this longer term contract necessary.

The funds for this contract are included in the FY 1983 budget, and maintenance as a separate cost was included in the computer system recommendation approved by the Mayor and Council just over a year ago.

This contract should be awarded on a sole source basis since Hewlett-Packard is the only company that maintains its equipment. Authority for sole source awards is found in Section 13.a(4)(i) of the City Charter where the City Manager may exempt purchases from sealed bidding with Council approval "when supplies or service can be obtained from only one person or firm."

Councilman Tyner asked if this includes a weekend maintenance plan. Mr. Buchman said it does.

On motion of Councilman Abrams, duly seconded and unanimously passed, the requirements for sealed bidding were waived and an exception made under Section 13.a(4)(i) of the City Charter "when supplies or service can be obtained from only one person or firm" and the award of contract in the amount of \$15,408 was given to the Hewlett Packard Company for 9 months.

Mayor Freeland said the system should be available to all and should be there as a tool for all and not confined to just the one department.

Re: Executive Session.

On motion of Councilman Abrams, duly seconded and unanimously passed, the meeting was closed for executive session for consultation with legal counsel.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 11:55 pm to convene again in general session on Monday, October 18, 1982, at 8:00 p.m. or at the call of the Mayor.